

1 John V. Picone III (State Bar No. 187226)  
2 jpicone@hopkinscarley.com  
3 Jennifer Coleman (State Bar No. 213210)  
4 jcoleman@hopkinscarley.com  
5 C. Gideon Korrell (State Bar No. 284890)  
6 gkorrell@hopkinscarley.com  
HOPKINS & CARLEY  
A Law Corporation  
The Letitia Building  
70 South First Street  
San Jose, CA 95113-2406

7 ***mailing address:***  
8 P.O. Box 1469  
9 San Jose, CA 95109-1469  
Telephone: (408) 286-9800  
Facsimile: (408) 998-4790

10 Attorneys for Plaintiff  
PACE Anti-Piracy, Inc.  
11

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 OAKLAND DIVISION

15 PACE ANTI-PIRACY, INC., a California  
corporation,  
16 Plaintiff,

CASE NO. 4:17-cv-05860-HSG

17 v.  
18 **STIPULATION AND ORDER TO FILE  
19 FIRST AMENDED COMPLAINT**

20 INSIDE SECURE S.A., a French legal  
entity, and INSIDE SECURE CORP., a  
Delaware corporation,  
21 Defendants.

22 **STIPULATION**  
23

24 Plaintiff PACE Anti-Piracy, Inc. (“Plaintiff”) and defendants Inside Secure S.A. and  
25 Inside Secure Corp. (“Defendants”) by, and through their respective counsel, jointly stipulate as  
26 follows:

27 WHEREAS, Plaintiff filed the instant action on October 12, 2017;

28 ///

1           WHEREAS, on December 26, 2017, Defendants filed a motion to dismiss,, which is now  
2 fully briefed;

3           WHEREAS, on February 7, 2018, the Court issued an order (Dkt. 53) setting the deadline  
4 for amending pleadings and joining parties for April 9, 2018;

5           WHEREAS, Plaintiff intends to file a First Amended Complaint to assert two additional  
6 causes of action of induced infringement and contributory infringement (Attached hereto as  
7 Exhibit 1);

8           WHEREAS, FRCP Rule 15(a)(2) permits a party to amend its pleading with the opposing  
9 party's written consent or the court's leave;

10          WHEREAS, Defendants do not oppose or object to the filing of the First Amended  
11 Complaint;

12          WHEREAS, the filing of the First Amended Complaint does not affect the issues raised  
13 by Defendants' pending motion, which, if granted, would result in dismissal of all causes of  
14 action in the First Amended Complaint;

15

16          NOW IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and  
17 Defendants, through their undersigned counsel of record, that:

18           1. Plaintiff may file its First Amended Complaint; and

19           ///

20           ///

21           ///

22           ///

23           ///

24           ///

25           ///

26           ///

27           ///

28           ///

1                   2. Defendants do not need to re-file their pending motion to dismiss or otherwise  
2                   respond to the First Amended Complaint prior to the resolution of that motion.

3 **IT IS SO STIPULATED**

4  
5 Dated: April 10, 2018

HOPKINS & CARLEY  
A Law Corporation

6  
7 By: /s/ John V. Picone III

John V. Picone III  
Jennifer S. Coleman  
C. Gideon Korrell  
Attorneys for Plaintiff  
PACE Anti-Piracy, Inc.

8  
9 Dated: April 10, 2018

10 SKADDEN, ARPS, SLATE, MEAGHER &  
11 FLOM LLP

12  
13 By: /s/ James Y. Pak

14 James Y. Pak  
15 Attorneys for Defendants  
16 Inside Secure and Inside Secure Corp.  
17

**ATTESTATION OF E-FILED SIGNATURE**

18 Pursuant to Local Rule 5-1(i)(3), I hereby certify that I have obtained the concurrence in  
19 the filing of this document from all signatories for whom a signature is indicated by a  
20 “conformed” signature (/ s /) within this electronically filed document and I have on file records  
21 to support this concurrence for subsequent production to the Court if so ordered or for inspection  
22 upon request.

23  
24 Dated: April 10, 2018

By: /s/ John Picone

John V. Picone III  
Attorney for Plaintiff  
PACE Anti-Piracy, Inc.

## **ORDER**

Pursuant to FRCP Rule 15, the Court's February 7, 2018 scheduling order, stipulation of the parties, and good cause appearing therefore, the Plaintiff is hereby granted leave to file its First Amended Complaint.

IT IS SO ORDERED.

Dated: April 10, 2018

  
HAYWOOD S. GILLIAM, JR.  
United States District Judge